

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC. RENTAL
SOFTWARE ANTITRUST LITIGATION
(NO. II)**

**Case No. 3:23-md-3071
MDL No. 3071**

Judge Waverly D. Crenshaw, Jr.

**This document Related to:
ALL CASES**

**MOTION FOR ENTRY OF PROTOCOL FOR COMMON BENEFIT WORK AND
EXPENSES**

Plaintiffs respectfully move the Court to enter the accompanying [Proposed] Protocol for Common Benefit and Work Expenses. (*See Exhibit 1* hereto.)

On June 13, 2023, this Court issued an Order appointing Plaintiffs' Interim Co-Lead Counsel ("Lead Counsel"), Plaintiffs' Liaison Counsel, and Plaintiffs' Steering Committee Counsel. (D.E. 278.) Plaintiffs seek entry of a protocol to govern all work performed for the common benefit. This includes provisions governing both time expended and costs incurred. The protocol does not pre-determine the payment of fees and costs. Instead, it sets out common benefit eligibility requirements and processes to promote efficiency, accountability, and the orderly progression of this case. The attached proposed protocol explains types of work that are (or are not) considered compensable common benefit work, sets out limitations for both travel- and non-travel expenses, implements timekeeping protocols and expense protocols, and requires monthly time reports and periodic expense reports in a specified format that Lead Counsel must audit. Plaintiffs therefore respectfully seek entry of the attached protocol. Plaintiffs have conferred with Defendants' Lead Liaison Counsel, who stated that Defendants do not oppose this request.

DATED: June 22, 2023

Respectfully submitted,

HERZFELD SUETHOLZ GASTEL LENISKI AND
WALL, PLLC

/s/ Tricia R. Herzfeld

Tricia R. Herzfeld (#26014)

HERZFELD SUETHOLZ GASTEL LENISKI
AND WALL, PLLC

223 Rosa L. Parks Avenue, Suite 300

Nashville, TN 37203

Telephone: (615) 800-6225

tricia@hsglawgroup.com

Plaintiffs' Liaison Counsel

CERTIFICATE OF SERVICE

I hereby certify that on June 22, 2023, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

/s/ Tricia R. Herzfeld

Tricia R. Herzfeld